

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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FEDERAL HOUSING FINANCE AGENCY, : 11 Civ. 6189 (DLC)
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Plaintiff, : ORDER
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-v- :
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:
HSBC NORTH AMERICA HOLDINGS INC., et :
al., :
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Defendants, :
:
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DENISE COTE, District Judge:

On June 23, 2014, defendants HSBC North America Holdings Inc., HSBC USA Inc., and HSBC Markets (USA) Inc. (the "HSBC Parents") moved for summary judgment dismissing FHFA's claims against them on the ground that they are not "control persons" within the meaning of the relevant securities statutes. By letter of July 21, FHFA asked that the Court grant summary judgment to FHFA on the issue pursuant to Fed. R. Civ. P. 56(f) and order the HSBC Parents to show in their reply brief any evidence that would prevent the Court from granting summary judgment in FHFA's favor. By letter of July 28, the HSBC Parents oppose FHFA's request and ask that the Court refuse to issue Rule 56(f) notice or, if the Court issues such notice, that the HSBC Parents be permitted to file a 20-page reply brief.

the week of August 18. Their reply brief is currently due August 4. It is hereby

ORDERED that FHFA's request is granted and the HSBC Parents are on notice, pursuant to Rule 56(f), that summary judgment may be granted to FHFA on this issue.

IT IS FURTHER ORDERED that the HSBC Parents may file a 20-page reply brief on or before August 4, 2014, setting forth any evidence that would prevent the Court from granting summary judgment in FHFA's favor on this issue.

Dated: New York, New York
July 28, 2014



DENISE COTE
United States District Judge